PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 23, 2021

Produced daily by the State of Iowa during the sessions of the General Assembly. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives Des Moines, Iowa, Tuesday, March 23, 2021

The House met pursuant to adjournment at 8:30 a.m., Gjerde of Linn in the chair.

Prayer was offered by Andrea Gulley, Clerk for Sexton of Calhoun and Worthan of Buena Vista.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Melissa Pardock, Page from Des Moines.

The Journal of Monday, March 22, 2021, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 22, 2021, adopted the following resolution in which the concurrence of the Senate was asked:

<u>House Concurrent Resolution 10</u>, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-ninth General Assembly.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 368</u>, a bill for an act relating to the administration of the reimbursement for rent constituting property taxes paid and related matters and including effective date provisions.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

House File 389, a bill for an act relating to chauffeurs and exempting certain persons from the requirement to be licensed as a chauffeur.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

House File 495, a bill for an act relating to certain reporting dates for cities which receive road use tax fund moneys.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 559</u>, a bill for an act relating to financial assistance provided by the economic development authority to certain apprenticeship sponsors and lead apprenticeship sponsors, and including applicability provisions.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

House File 621, a bill for an act establishing which actions may be brought against firearm, firearm accessory, and ammunition manufacturers, distributors, importers, trade associations, sellers, or dealers.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

House File 655, a bill for an act prohibiting interference with the transportation of an agricultural animal, and providing penalties.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 756</u>, a bill for an act relating to the acquisition and possession of weapons and providing penalties.

Also: That the Senate has on March 22, 2021, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 761</u>, a bill for an act relating to the local fire protection and emergency medical service providers grant program.

Also: That the Senate has on March 22, 2021, adopted the following resolution in which the concurrence of the House is asked:

<u>Senate Concurrent Resolution 6</u>, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the general assembly.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 336</u>, a bill for an act relating to the blood, bone marrow, and living organ donation incentive program.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the House is asked:

Senate File 567, a bill for an act relating to loans originated by mortgage bankers.

Also: That the Senate has on March 22, 2021, passed the following bill in which the concurrence of the House is asked:

Senate File 578, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, including by providing for administration, programs, and regulations, providing fees, providing penalties, and making penalties applicable.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGE CONSIDERED

Senate File 578, by committee on Ways and Means, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, including by providing for administration, programs, and regulations, providing fees, providing penalties, and making penalties applicable.

Read first time and passed on file.

On motion by Windschitl of Harrison, the House was recessed at 8:33 a.m., until 12:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:50 p.m., Speaker Grassley in the chair.

INTRODUCTION OF BILLS

House File 850, by Mascher, a bill for an act relating to the elimination of the exemption from immunization of a person related to conflicts with the tenets and practices of a recognized religious denomination.

Read first time and referred to committee on **Human Resources**.

House File 851, by Nordman, a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa, under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

Read first time and referred to committee on **State Government**.

SENATE MESSAGES CONSIDERED

<u>Senate File 336</u>, by committee on State Government, a bill for an act relating to the blood, bone marrow, and living organ donation incentive program.

Read first time and referred to committee on Human Resources.

<u>Senate File 567</u>, by committee on Commerce, a bill for an act relating to loans originated by mortgage bankers.

Read first time and referred to committee on Commerce.

CONSIDERATION OF BILLS Regular Calendar

House File 775, a bill for an act concerning unauthorized entry or access, including unauthorized electronic or mechanical recording, unauthorized gathering of samples of certain materials relating to animals and animal feeding operations, and providing penalties, was taken up for consideration.

Klein of Washington offered amendment H-1162 filed by him.

Klein of Washington offered amendment $\underline{H-1248}$, to amendment $\underline{H-1162}$, filed by him from the floor and moved its adoption.

Amendment H-1248, to amendment H-1162, was adopted.

Klein of Washington moved the adoption of amendment <u>H-1162</u>, as amended.

Amendment H-1162, as amended, was adopted.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 775)

The ayes were, 72:

Andrews Best Bradley Bush Fisher Gjerde Hall Holt Jones Klein Lohse McConkey Mommsen Osmundson Salmon Smith	Bacon Bloomingdale Breckenridge Cisneros Forbes Gobble Hansen Ingels Judge Kressig Lundgren Meyer, A. Moore Paustian Sexton Sorensen	Baxter Boden Brink Deyoe Fry Graber Hein Jacobsen Kaufmann Landon Maxwell Mitchell Nordman Prichard Sieck Stone	Bergan Bossman Brown-Powers Dolecheck Gerhold Gustafson Hite Jeneary Kerr Latham McClintock Mohr Olson Running-Marquardt Siegrist Thompson
			U
Thorup Windschitl	Westrich Wolfe	Wheeler Worthan	Wills Speaker Grassley

The nays were, 24:

Abdul-Samad	Anderson	Bennett	Bohannan
Cahill	Cohoon	Donahue	Ehlert
Hunter	Isenhart	Jacoby	James
Konfrst	Kurth	Mascher	Meyer, B.
Oldson	Shipley	Staed	Steckman
Thede	Wessel-Kroeschell	Wilburn	Winckler

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Ways and Means Calendar

House File 419, a bill for an act allowing counties to collect a fee for the issuance and renewal of driver's licenses and nonoperator's identification cards to persons who reside outside the county, was taken up for consideration.

Jones of Clay offered amendment $\underline{\text{H--}1237}$ filed by her and moved its adoption.

Amendment H-1237 was adopted.

Windschitl of Harrison rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 419)

The ayes were, 89:

Anderson Baxter Andrews Bacon Bergan **Best** Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brown-Powers Cahill Brink Bush Cisneros Deyoe Dolecheck Donahue Ehlert Fisher Forbes Fry Gerhold Gjerde Gobble Graber Hall Gustafson Hein Hite Holt Hunter Ingels Isenhart Jacobsen James Jeneary Jones Judge Klein Kaufmann Kerr Konfrst Kressig Kurth Landon Latham Lundgren Mascher Maxwell McClintock McConkey Meyer, A. Meyer, B. Mohr Mitchell Mommsen Moore Nordman Oldson Olson Osmundson Paustian Prichard Running-Marquardt Salmon Sexton Shipley Sieck Siegrist Smith Sorensen Staed Steckman Stone Thede Thompson Thorup Wills Westrich Wheeler Wilburn Wolfe Worthan Winckler Windschitl Speaker Grassley

The nays were, 7:

Abdul-Samad Bennett Cohoon Hansen Jacoby Lohse Wessel-Kroeschell

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 828</u>, a bill for an act relating to commercial driver's license driving skills tests, providing fees, and including effective date provisions, was taken up for consideration.

Best of Carroll offered amendment $\underline{H-1230}$ filed by him and moved its adoption.

Amendment H-1230 was adopted.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 828)

The ayes were, 95:

Abdul-Samad Anderson Andrews Bacon Best Baxter Bennett Bergan Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brink **Brown-Powers** Bush Cahill Cohoon Cisneros Deyoe Dolecheck Donahue Ehlert Fisher Forbes Fry Gerhold Gjerde Gobble Graber Gustafson Hall Hansen Hein Hite Holt Hunter Ingels Isenhart Jacobsen James Jeneary Jones Judge Kaufmann Kerr Klein Konfrst Kressig Kurth Landon Latham Lohse Lundgren Mascher McConkey McClintock Meyer, A. Maxwell Meyer, B. Mitchell Mohr Mommsen Moore Nordman Oldson Olson Osmundson Paustian Prichard Running-Marquardt Salmon Sexton Sieck Shipley Siegrist Smith Sorensen Staed Steckman Stone Thede Thompson Thorup Wessel-Kroeschell Westrich Wheeler Wilburn Wills Windschitl Winckler Speaker Wolfe Worthan Grassley

The nays were, 1:

Jacoby

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

<u>House File 586</u>, a bill for an act relating to the development and utilization of high-speed electronic transmission mediums, was taken up for consideration.

Thompson of Greene offered amendment $\underline{H-1231}$ filed by him and moved its adoption.

Amendment <u>H-1231</u> was adopted.

Thompson of Greene asked and received unanimous consent to withdraw amendment $\underline{H-1148}$ filed by him on March 8, 2021 and amendment $\underline{H-1161}$ filed by him on March 10, 2021.

Wills of Dickinson in the chair at 5:39 p.m.

Thompson of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 586)

The ayes were, 96:

Abdul-Samad Anderson Andrews Bacon Best Baxter Bennett Bergan Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brink **Brown-Powers** Cahill Cohoon Bush Cisneros Dolecheck Ehlert Deyoe Donahue Gerhold Fisher Forbes Fry Grassley, Spkr. Gjerde Gobble Graber Gustafson Hall Hansen Hein Holt Ingels Hite Hunter Isenhart Jacobsen Jacoby James Jeneary Jones Judge Kaufmann

Klein Kerr Konfrst Kressig Kurth Landon Latham Lohse Mascher McClintock Lundgren Maxwell McConkey Mitchell Meyer, A. Meyer, B. MohrMommsen Moore Nordman Oldson Osmundson Paustian Olson Prichard Running-Marquardt Salmon Sexton Shipley Sieck Siegrist Smith Sorensen Staed Steckman Stone Thede Thompson Thorup Wessel-Kroeschell

Winckler Westrich Wheeler Wilburn Windschitl Wolfe Worthan Wills,

Presiding

The nays were, none.

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 710, a bill for an act relating to child endangerment committed by a sex offender, and providing penalties, was taken up for consideration.

Kaufmann of Cedar offered amendment H-1238 filed by him and moved its adoption.

Amendment H-1238 was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 710)

The ayes were, 96:

Abdul-Samad Anderson Andrews Bacon Baxter Bennett Bergan Best Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brown-Powers Brink Bush Cahill Cisneros Cohoon Deyoe Dolecheck Donahue Ehlert Forbes Gerhold Fisher Fry

Gobble Graber Gierde Grassley, Spkr. Gustafson Hall Hansen Hein Holt Ingels Hite Hunter Jacobsen James Isenhart Jacoby Jeneary Jones Judge Kaufmann Klein Konfrst Kressig Kerr Kurth Landon Latham Lohse McClintock Lundgren Mascher Maxwell McConkey Meyer, A. Meyer, B. Mitchell Mohr Mommsen Moore Nordman Olson Oldson Osmundson Paustian Prichard Running-Marquardt Salmon Sexton Shipley Sieck Siegrist Smith Sorensen Staed Steckman Stone Thede Wessel-Kroeschell Thompson Thorup Westrich Wheeler Wilburn Winckler Windschitl Wolfe Wills, Worthan Presiding

The nays were, none.

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 728</u>, a bill for an act relating to noncompliance with rules adopted by a county sanitarian regarding septic tank pumping, was taken up for consideration.

Devoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 728)

The ayes were, 83:

Abdul-Samad Anderson Andrews Bacon Baxter Bergan Best Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brown-Powers Bush Brink Deyoe Cahill Cisneros Cohoon Dolecheck Donahue Fisher Forbes Gobble Graber Fry Gerhold Grassley, Spkr. Hansen Gustafson Hall

Hein Hite Holt Hunter Ingels Jacobsen James Jeneary Jones Judge Kaufmann Kerr Konfrst Landon Klein Kressig Latham Lohse Lundgren Mascher Maxwell McClintock Meyer, B. Meyer, A. Mitchell Mohr Mommsen Moore Osmundson Nordman Oldson Olson Prichard Sexton Paustian Salmon Shipley Sieck Siegrist Smith Sorensen Thede Thompson Stone Thorup Westrich Wheeler Winckler Windschitl Worthan Wills, Presiding

The nays were, 13:

Bennett Ehlert Gjerde Isenhart

JacobyKurthMcConkeyRunning-MarquardtStaedSteckmanWessel-KroeschellWilburn

Wolfe

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 753, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable, was taken up for consideration.

Olson of Polk offered amendment $\underline{H-1210}$ filed by him and Thorup of Marion and moved its adoption.

Amendment H-1210 was adopted.

Olson of Polk asked and received unanimous consent to withdraw amendment $\underline{\text{H-}1211}$ filed by him and Thorup of Marion on March 15, 2021.

Thorup of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 753)

The ayes were, 96:

Abdul-Samad Andrews Anderson Bacon Baxter Bennett Bergan Best Bloomingdale Boden Bohannan Bossman Bradley Breckenridge Brink Brown-Powers Cohoon Bush Cahill Cisneros Deyoe Dolecheck Donahue Ehlert Gerhold Fisher Forbes Fry Gobble Graber Grassley, Spkr. Gjerde Gustafson Hall Hansen Hein Hite Holt Hunter Ingels Isenhart Jacobsen Jacoby James Judge Kaufmann Jeneary Jones Kerr Klein Konfrst Kressig Kurth Landon Latham Lohse McClintock Lundgren Mascher Maxwell McConkey Meyer, A. Meyer, B. Mitchell Mohr Mommsen Moore Nordman Oldson Olson Osmundson Paustian Running-Marquardt Prichard Salmon Sexton Shipley Sieck Siegrist Smith Sorensen Staed Steckman Stone Thede Wessel-Kroeschell Thompson Thorup Winckler Westrich Wheeler Wilburn Windschitl Wolfe Worthan Wills, Presiding

The nays were, none.

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 821, a bill for an act creating a civil action relating to harassment by the reporting of false information to law enforcement authority, was taken up for consideration.

Lohse of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 821)

The ayes were, 96:

Abdul-Samad Anderson Andrews Bacon Baxter Bennett Bergan Best Bloomingdale Boden Bohannan BossmanBradley Breckenridge **Brown-Powers** Brink Cohoon Bush Cahill Cisneros DolecheckDeyoe Donahue Ehlert \mathbf{Fry} Gerhold Fisher Forbes Gjerde Gobble Graber Grassley, Spkr. Gustafson Hall Hansen Hein Hite Holt Hunter Ingels Isenhart Jacobsen Jacoby James Judge Kaufmann Jeneary Jones Kerr Klein Konfrst Kressig Kurth Landon Latham Lohse McClintockLundgren Mascher Maxwell McConkey Meyer, A. Meyer, B. Mitchell Mohr Mommsen Moore Nordman OlsonOsmundson Paustian Oldson Prichard Running-Marquardt Salmon Sexton Shipley Sieck Siegrist Smith Sorensen Staed Steckman Stone Thede Thompson Thorup Wessel-Kroeschell Westrich Wilburn Winckler Wheeler Windschitl Wolfe Worthan Wills, Presiding

The nays were, none.

Absent or not voting, 4:

Gaines Nielsen Sunde Williams

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Windschitl of Harrison asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 419, 586, 710, 728, 753, 775, 821** and **828.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Gaines of Polk Nielsen of Johnson Sunde of Polk Williams of Black Hawk

EXPLANATION OF VOTE

On March 17, 2021, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

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Amendment H–1215 (H.F. 621)—"aye" 
Amendment H–1216 (H.F. 621)—"aye" 
Amendment H–1218 (H.F. 621)—"aye" 
House File 621—"nay" 
Amendment H–1223 to amendment H–1217 (H.F. 756)—"aye" 
Amendment H–1224 to amendment H–1217 (H.F. 756)—"aye" 
Amendment H–1217 (H.F. 756)—"aye" 
Amendment H–1227 to amendment H–1219 (H.F. 756)—"aye" 
House File 756—"nay"
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Oldson of Polk

SUBCOMMITTEE ASSIGNMENTS

House File 843

Ways and Means: Hite, Chair; Osmundson and Wolfe.

Senate File 384

Local Government: Westrich, Chair; Thede and Wheeler.

Senate File 450

Judiciary: Hite, Chair; Kaufmann and Wessel-Kroeschell.

Senate File 540

State Government: Kaufmann, Chair; Mascher and Mitchell.

Senate File 554

Local Government: Gobble, Chair; Isenhart and Nordman.

Senate File 562

Judiciary: Lohse, Chair; Bohannan and Wheeler.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

> MEGHAN NELSON Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Senate File 185, a bill for an act repealing the Missouri river preservation and land use authority, and including transition provisions.

Fiscal Note: No

Recommendation: Do Pass March 22, 2021.

Senate File 315, a bill for an act relating to reporting requirements concerning the department of administrative services.

Fiscal Note: No

Recommendation: Do Pass March 22, 2021.

Senate File 322, a bill for an act concerning a report on the effectiveness of the accountable government Act.

Fiscal Note: No

Recommendation: Do Pass March 22, 2021.

Senate File 531, a bill for an act relating to the conduct of elections during emergencies.

Fiscal Note: No

Recommendation: Do Pass March 22, 2021.

Senate Concurrent Resolution 5, a concurrent resolution encouraging the United States Congress to provide flexibility to the states in determining visitation practices in nursing facilities.

Fiscal Note: No

Recommendation: Do Pass March 22, 2021.

RESOLUTION FILED

<u>S.C.R. 6</u>, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the general assembly.

Referred to committee on Administration and Rules.

AMENDMENTS FILED

H-1245	<u>H.F.</u>	761	Senate amendment
H-1246	H.F.	813	Gobble of Polk
H-1247	H.F.	785	Bossman of Woodbury
H-1248	H.F.	775	Klein of Washington
H-1249	H.F.	460	Bohannan of Johnson
H-1250	H.F.	813	Cahill of Marshall
H-1251	H.F.	813	Donahue of Linn
$\overline{\text{H}-1252}$	H.F.	813	Smith of Black Hawk
H-1253	H.F.	813	Mascher of Johnson
$\overline{\text{H-}1254}$	H.F.	815	Wills of Dickinson
$\overline{\text{H}-1255}$	H.F.	813	Gobble of Polk
H-1256	H.F.	813	Winckler of Scott
H-1257	H.F.	813	Winckler of Scott
H-1258	H.F.	831	Wolfe of Clinton
H-1259	H.F.	813	Ehlert of Linn
H-1260	H.F.	813	Winckler of Scott
H-1261	H.F.	813	Smith of Black Hawk
H-1262	H.F.	813	Winckler of Scott
H-1263	H.F.	813	Steckman of Cerro Gordo
H-1264	H.F.	813	Donahue of Linn
H-1265	H.F.	813	Winckler of Scott
11-1200	11.1.	010	WILLERIEL OF DEOLE

On motion by Windschitl of Harrison, the House adjourned at $6:06~\rm p.m.$, until $8:30~\rm a.m.$, Wednesday, March $24,\,2021.$